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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☒ Declaration Submitted with Initial Filing **OR** ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number AL01019

First Named Inventor SHIH, et al

COMPLETE IF KNOWN

Application Number /

Filing Date September 18, 2001

Group Art Unit To Be Assigned

Examiner Name To Be Assigned

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SUBSTITUTED IMIDAZOLES AS DUAL HISTAMINE H1 AND H3 AGONISTS OR ANTAGONISTS

the specification of which

(Title of the Invention)

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | YES | NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) | <input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto. |
|-----------------------|--------------------------|--|
| | | |

(Page 1 of 2)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name PALAIYUR S. KALYANARAMAN

Signature

Date

Express Mail Label No. EL403237497US

Date Sept. 18, 2001

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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application or PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|--|---------------------------------|--------------------------------------|
| | | |

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☒ Customer Number 24265

OR

☐ Registered practitioner(s) name/registration number listed below

Place Customer Number Bar Code Label here

| Name | Registration Number | Name | Registration Number |
|------|---------------------|------|---------------------|
| | | | |

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☒ Customer Number or Bar Code Label

24265

OR ☐ Correspondence address below

| | | | | | | | |
|---------|--------------------------|-----------|-----------------|-----|-----|----------------|--------|
| Name | PALAIYUR S. KALYANARAMAN | | | | | Reg. No. | 34,634 |
| Address | | | | | | | |
| Address | | | | | | | |
| City | | State | | ZIP | | | |
| Country | | Telephone | (908) 298- 5068 | | Fax | (908) 298-5388 | |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

| | | | | | | | |
|--|-----------------------|-------|------------|------------------------|--------|-------------|---------|
| Given Name (first and middle (if any)) | | | | Family Name or Surname | | | |
| NENG-YANG | | | | SHIH | | | |
| Inventor's Signature | <i>Neng-yang Shih</i> | | | | | Date | 8/30/01 |
| Residence: City | NORTH CALDWELL | State | NJ | Country | U.S.A. | Citizenship | U.S.A. |
| Post Office Address | 1 MAPLE DRIVE | | | | | | |
| Post Office Address | | | | | | | |
| City | NORTH CALDWELL | State | NEW JERSEY | ZIP | 07006 | Country | U.S.A. |

☒ Additional inventors are being named on the 3 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto



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| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>1</u> of <u>3</u> |
|--------------------|---|

| | | | |
|---|-------------|---|--------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| ROBERT G. | | ASLANIAN | |
| Inventor's Signature <i>Robert G. Aslanian</i> | | Date <u>8/30/01</u> | |
| Residence: City | ROCKAWAY | State | NJ |
| Country | U.S.A. | Citizenship | U.S.A. |
| Mailing Address 144 PHILIP DRIVE | | | |
| Mailing Address | | | |
| City | ROCKAWAY | State | NJ |
| ZIP | 07866 | Country | U.S.A. |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| DANIEL M. | | SOLOMON | |
| Inventor's Signature <i>Daniel M. Solomon</i> | | Date <u>9/5/01</u> | |
| Residence: City | EDISON | State | NJ |
| Country | U.S.A. | Citizenship | U.S.A. |
| Mailing Address 9 MARSHALL DRIVE | | | |
| Mailing Address | | | |
| City | EDISON | State | NJ |
| ZIP | 08817 | Country | U.S.A. |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| STUART B. | | ROSENBLUM | |
| Inventor's Signature <i>Stuart B. Rosenblum</i> | | Date <u>9/05/01</u> | |
| Residence: City | WEST ORANGE | State | NJ |
| Country | U.S.A. | Citizenship | U.S.A. |
| Mailing Address 16 STEVEN TERRACE | | | |
| Mailing Address | | | |
| City | WEST ORANGE | State | NJ |
| ZIP | 07052 | Country | U.S.A. |

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| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>2</u> of <u>3</u> |
|--------------------|---|

| | | | |
|---|----------|---|--------------------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| MWANGI Wa | | MUTAH | |
| Inventor's Signature <i>[Signature]</i> | | Date <u>8/30/01</u> | |
| Residence: City EDISON | State NJ | Country U.S.A. | Citizenship KENYA |
| Mailing Address 20 N. EVERGREEN ROAD, APT. 257-Q | | | |
| Mailing Address | | | |
| City EDISON | State NJ | ZIP 08837 | Country U.S.A. |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| TOM C. | | WING | |
| Inventor's Signature <i>[Signature]</i> | | Date <u>09/05/01</u> | |
| Residence: City CEDAR GROVE | State NJ | Country U.S.A. | Citizenship U.S.A. |
| Mailing Address 133 CEDAR GROVE PARKWAY | | | |
| Mailing Address | | | |
| City CEDAR GROVE | State NJ | ZIP 07009 | Country U.S.A. |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| KEVIN D. | | MC CORMICK | |
| Inventor's Signature <i>[Signature]</i> | | Date <u>9/5/01</u> | |
| Residence: City EDISON | State NJ | Country I/S/A/ | Citizenship U.S.A. |
| Mailing Address 5 PACE DRIVE | | | |
| Mailing Address | | | |
| City EDISON | State | ZIP | Country |

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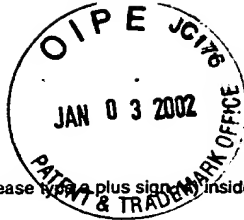
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| | | | |
|---|------------------|---|--------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| JOHN J. | | PIWINSKI | |
| Inventor's Signature <i>John J. Piwinski</i> | | Date <i>9/10/01</i> | |
| Residence: City | CLINTON TOWNSHIP | State | NJ |
| Country | U.S.A. | | |
| Citizenship | U.S.A. | | |
| Mailing Address 6 SADDLE RIDGE DRIVE | | | |
| Mailing Address | | | |
| City | LEBANON | State | NJ |
| ZIP | 08833 | Country | U.S.A. |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| RONALD | | WOLIN | |
| Inventor's Signature | | Date | |
| Residence: City | SAN DIEGO | State | CA |
| Country | U.S.A. | | |
| Citizenship | U.S.A. | | |
| Mailing Address 16309 LOS ROSALES | | | |
| Mailing Address | | | |
| City | SAN DIEGO | State | CA |
| ZIP | 92127 | Country | U.S.A. |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| | | | |
| Inventor's Signature | | Date | |
| Residence: City | | State | |
| Country | | | |
| Citizenship | | | |
| Mailing Address | | | |
| Mailing Address | | | |
| City | | State | |
| ZIP | | Country | |

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| DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) | Attorney Docket Number | AL01019 | |
| | First Named Inventor | SHIH, et al | |
| | COMPLETE IF KNOWN | | |
| | Application Number | / | |
| | Filing Date | September 18, 2001 | |
| | Group Art Unit | To Be Assigned | |
| <input checked="" type="checkbox"/> Declaration Submitted with Initial Filing | <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required) | Examiner Name | To Be Assigned |

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SUBSTITUTED IMIDAZOLES AS DUAL HISTAMINE H1 AND H3 AGONISTS OR ANTAGONISTS

the specification of which ☒ is attached hereto OR ☐ was filed on (MM/DD/YYYY) as United States Application Number or PCT International Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

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| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | YES | NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) |
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| | |

☐ Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

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| CERTIFICATE OF MAILING | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: | |
| Typed or printed name | PALAIYUR S. KALYANARAMAN |
| Signature | Date |

| | |
|------------------------|----------------|
| Express Mail Label No. | EL403237497US |
| Date | Sept. 18, 2001 |

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| U.S. Parent Application or PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|--|---------------------------------|--------------------------------------|
| | | |

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☒ Customer Number 24265

OR

☐ Registered practitioner(s) name/registration number listed below

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| | | | |

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

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24265

OR ☐ Correspondence address below

| | | | | | | | | |
|---------|--------------------------|-----------|-----------------|-----|--|----------|----------------|--|
| Name | PALAIYUR S. KALYANARAMAN | | | | | Reg. No. | 34,634 | |
| Address | | | | | | | | |
| Address | | | | | | | | |
| City | | State | | ZIP | | | | |
| Country | | Telephone | (908) 298- 5068 | | | Fax | (908) 298-5388 | |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

| | | | | | | | |
|--|----------------|-------|------------|------------------------|--------|-------------|--------|
| Given Name (first and middle (if any)) | | | | Family Name or Surname | | | |
| NENG-YANG | | | | SHIH | | | |
| Inventor's Signature | | | | | | Date | |
| Residence: City | NORTH CALDWELL | State | NJ | Country | U.S.A. | Citizenship | U.S.A. |
| Post Office Address | 1 MAPLE DRIVE | | | | | | |
| Post Office Address | | | | | | | |
| City | NORTH CALDWELL | State | NEW JERSEY | ZIP | 07006 | Country | U.S.A. |

☒ Additional inventors are being named on the 3 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto



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|--------------------|---|

| | | | |
|---|-------------|---|--------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| ROBERT G. | | ASLANIAN | |
| Inventor's Signature | | Date | |
| Residence: City | ROCKAWAY | State | NJ |
| Country | U.S.A. | Citizenship | U.S.A. |
| Mailing Address 144 PHILIP DRIVE | | | |
| Mailing Address | | | |
| City | ROCKAWAY | State | NJ |
| ZIP | 07866 | Country | U.S.A. |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| DANIEL M. | | SOLOMON | |
| Inventor's Signature | | Date | |
| Residence: City | EDISON | State | NJ |
| Country | U.S.A. | Citizenship | U.S.A. |
| Mailing Address 9 MARSHALL DRIVE | | | |
| Mailing Address | | | |
| City | EDISON | State | NJ |
| ZIP | 08817 | Country | U.S.A. |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| STUART B. | | ROSENBLUM | |
| Inventor's Signature | | Date | |
| Residence: City | WEST ORANGE | State | NJ |
| Country | U.S.A. | Citizenship | U.S.A. |
| Mailing Address 16 STEVEN TERRACE | | | |
| Mailing Address | | | |
| City | WEST ORANGE | State | NJ |
| ZIP | 07052 | Country | U.S.A. |

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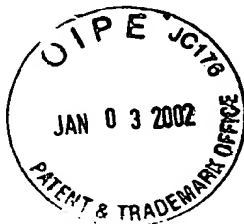
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| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>2</u> of <u>3</u> |
|--------------------|---|

| | | | |
|---|----------|---|--------------------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| MWANGI Wa | | MUTAH | |
| Inventor's Signature | | Date | |
| Residence: City EDISON | State NJ | Country U.S.A. | Citizenship KENYA |
| Mailing Address 20 N. EVERGREEN ROAD, APT. 257-Q | | | |
| Mailing Address | | | |
| City EDISON | State NJ | ZIP 08837 | Country U.S.A. |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| TOM G. | | WING | |
| Inventor's Signature | | Date | |
| Residence: City CEDAR GROVE | State NJ | Country U.S.A. | Citizenship U.S.A. |
| Mailing Address 133 CEDAR GROVE PARKWAY | | | |
| Mailing Address | | | |
| City CEDAR GROVE | State NJ | ZIP 07009 | Country U.S.A. |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| KEVIN D. | | MC CORMICK | |
| Inventor's Signature | | Date | |
| Residence: City EDISON | State NJ | Country I/S/A/ | Citizenship U.S.A. |
| Mailing Address 5 PACE DRIVE | | | |
| Mailing Address | | | |
| City EDISON | State | ZIP | Country |

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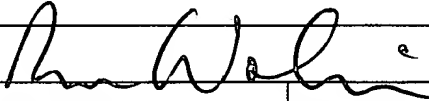


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| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>3</u> of <u>3</u> |
|--------------------|---|

| | | | |
|--|--|---|----------------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| JOHN J. | | PIWINSKI | |
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| Country U.S.A. | | | |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| RONALD | | WOLIN | |
| Inventor's Signature  | | Date 8/31/01 | |
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| Country U.S.A. | | | |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| | | | |
| Inventor's Signature | | Date | |
| Residence: City | | State | Country |
| Citizenship | | | |
| Mailing Address | | | |
| Mailing Address | | | |
| City | | State | ZIP |
| Country | | | |

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